

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEGERSTROM CENTER FOR THE ARTS,	:	CIVIL ACTION NO.: 1:21-cv-06707
	:	
Plaintiff,	:	<b>PLAINTIFF’S REQUEST FOR ENTRY</b>
	:	<b>OF DEFAULT AGAINST DEFENDANTS</b>
	:	
vs.	:	
	:	
ARDANI ARTISTS MANAGEMENT, INC.,	:	Action Filed: August 9, 2021
SERGEI DANILIAN and GAIANE	:	
DANILIAN,	:	
	:	
Defendants.	:	
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Pursuant to Rule 55 of the Federal Rules of Civil Procedure, Plaintiff Segerstrom Center for the Arts (“Plaintiff”) hereby requests that the Clerk enter a default against defendants Ardani Artists Management, Inc., Sergei Danilian, and Gaiane Danilian (collectively, “Defendants”) because each of the Defendants failed to respond to the Complaint within the permitted deadline.

Plaintiff filed its Complaint on August 9, 2021. (Dkt. 1.) On November 11, 2021, the Court granted Plaintiff’s motion to serve Defendants by email at s.danilian@gmail.com (the “Email Address”) and publication. (Dkt. 17.) On November 26, 2021, Defendants were served by publication in the Los Angeles Times. (Dkt. 19.) On November 29, 2021, Plaintiff served Defendants through the Email Address. (Dkt. 18.) On December 4, 2021, Defendants were served by publication in the New York Times. (Dkt. 20.) After being served, each of the Defendants failed to appear or respond to the Complaint. (Declaration of Seth M. Jessee, ¶¶ 2-5.)

Defendants’ responses were due on or before December 27, 2021. Fed R. Civ. Proc. 12(a)(1)(A)(i). Each of the Defendants has failed to timely plead or otherwise defend or appear in the action. Plaintiff therefore requests that the Clerk enter default against each of the Defendants.

Dated: December 28, 2021

/s/ Seth M. Jessee

Seth M. Jessee  
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*SEGERSTROM CENTER FOR THE ARTS*

The motion is denied without prejudice for failure to comply with Local Rule 55.1. The motion should be refiled as a request for the Clerk of Court to issue a Certificate of Default pursuant to Local Rule 55.1 and the instructions and model for such a filing on the Southern District's website. Plaintiff is directed to consult Federal Rule of Civil Procedure 55, Local Rules 55.1 and 55.2, and the Court's Individual Rule 3(d) for the proper procedures in default judgment proceedings.

SO ORDERED.

Date: January 4, 2022  
New York, New York

  
JOHN P. CRONAN  
United States District Judge

**DECLARATION OF SETH M. JESSEE**

I, Seth M. Jessee, declare as follows:

1. I am a Partner of the law firm Rutan & Tucker, LLP, counsel of record for Plaintiff Segerstrom Center for the Arts (“Plaintiff”) in this action. I am a member in good standing of the State Bars of New York and California. I make this Declaration in further support of Plaintiff’s request for entry of default against defendants Ardani Artists Management, Inc., Sergei Danilian, and Gaiane Danilian (collectively, “Defendants”). I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. As reflected in the Proofs of Service filed with the Court (Dkts. 19 and 20), on November 26, 2021, Defendants were served by publication in the Los Angeles Times and, on December 4, 2021, Defendants were served by publication in the New York Times.

3. As reflected in the Proof of Service filed with the Court (Dkt. 18), on November 29, 2021, Cecilia Solórzano of Rutan & Tucker, LLP served Defendants with the Complaint, Rule 7.1 Disclosure Statement, Notice of Assignment, Civil Cover Sheet, Summons for Sergei Danilian, Summons for Ardani Artists Management, Inc., Summons for Gaiane Danilian, Letter Motion for Leave to Serve by Alternative Methods, Initial Pretrial Conference Statement, Proposed Civil Case Management Plan and Scheduling Order, and Order Granting Motion to Serve by Alternative Means.

4. Defendants’ responses to the Complaint were due on or before December 27, 2021. Fed. R. Civ. P. 12(a)(1)(A)(i).

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5. Each of the Defendants has failed to appear in this action or respond to the Complaint. No representative for any Defendant has contacted my firm to discuss the matter. There has been no post-service communication between the parties.

Executed on December 28, 2021, at Irvine, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
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Seth M. Jessee